



DEPARTMENT OF THE NAVY

BOARD FOR CORRECTION OF NAVAL RECORDS

2 NAVY ANNEX

WASHINGTON DC 20370-5100

CRS

Docket No: 5721-98

29 December 1999

[REDACTED]

Dear [REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of Title 10, United States Code, Section 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 15 December 1999. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, your naval record and applicable statutes, regulations and policies.

After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice.

The Board found that you reenlisted in the Marine Corps on 13 July 1989 after seven years of prior active service. Your record reflects that on 1 July 1994 you were counseled as to a four hour personal long distance phone call you made on a government phone. On the same date you were not recommended for reenlistment due to unacceptable performance as a staff noncommissioned officer over the last several months. You were honorably discharged by reason of expiration of term of service on 12 July 1994. At that time you were assigned a reenlistment code of RE-4.

The Board concluded that your unauthorized phone call and not being recommended for reenlistment were sufficient to support the assignment of the RE-4 reenlistment code. It means that you may not reenlist in the Marine Corps without prior approval of the Commandant of the Marine Corps. The Board thus concluded that there is no error or injustice in your reenlistment code. Accordingly, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new and material evidence or other matter not previously considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

W. DEAN PFEIFFER  
Executive Director